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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
JAN 15 2025
CLERK'S OFFICE
DETROIT

DERRICK LEE CARDELLO-SMITH,
Plaintiff,

Vs

File # 5:24-cv-12647

Honorable Judith Levy

SEAN COMBS,
Defendant,

PLAINTIFFS REPLY TO THE DEFENDANTS RESPONSE IN
OPPOSITION TO THE PLAINTIFFS MOTION FOR LEAVE TO FILE
A CORRECTED, UPDATED AND TIMELY COPY OF
PLAINTIFFS ANSWERS TO THE DEFENDANTS MOTION TO DISMISS
AND BRIEF IN SUPPORT OF PLAINTIFFS REPLY

Now comes the Plaintiff, in the above cause and hereby files this reply to the Defendants response and request that this Court Deny the Defendants Response and Grant Plaintiffs motion for Leave to File the Corrected updated copy of the answer which can be summed up in the following words "THE COURT SHOULD HAVE ALL THE FACTS AVAILABLE IN RENDERING A FINAL DECISION ON EVERYTHING IN FRONT OF THE COURT and there is no risk to the administration of justice in anyway by allowing the plaintiff to file a timely and proper answer to these matters held within as is within the Plaintiffs Rights to have this court allow this matter to be heard fully with all the facts of justice, and most importantly, because there is no harm to any party or person in this matter by having the corrected copy, and most importantly, The Defendants Lawyers Simply do not want the truth to be heard in this court, which

is why they are fighting so hard against this matter form proceeding and this court from having all the facts in it.

Plaintiff submits the following brief in support.

Thank you for your time on this matter.

Respectfully Yours,

12-27-24



Mr. Derrick Lee Cardello-Smith

#267009

Plaintiff in Pro Per

#267009

E.C. Brooks Correctional Facility

2500 S. Sheridan Drive

Muskegon, MI 49444

BRIEF IN SUPPORT

Plaintiff says that the Court should grant plaintiff Leave to File the Updated response to Defendants Motion to Dismiss and says the answer is YES.

Plaintiff fully rejects the claims raised by the Defendant that plaintiff Invented new facts intended to serve plaintiffs arguments and states that the Defendants have Not Provided 1 person, witness, document or anything at all to dispute the Plaintiffs verified Claims and Witnesses that are willing to testify to the Truth of the facts and that nothing was Invented, in fact all these issues were only raised now and not on the original Rape Lawsuit because it was meant for Trial and there is no Duty or requirement that the Plaintiff had to reveal all the Witnesses plaintiff intended to bring in the trial court until the Court Grants or Orders a Schedule to produce those witnesses so that itself is grounds to reject and overlook the defendants claim of the Plaintiff "Inventing Facts" when in fact, the claims raised by the Plaintiff are true, and real because the Plaintiff had intimate knowledge of Sean Combs and Bad Boy Records and all of its doings and also, Plaintiff was Raped and Broken by this Defendant, and the only reason everything is now here in Federal court is because of the Defendants Moving it to Federal Court and the Plaintiff understanding that this court should have all the facts and not just let the case be dismissed on a routine basis that the defendants client is used to doing, this Man raped me, and they are just trying to cover it up and hide it, it is plain and simple and I have the proof and this court has the proof of it and should act upon that Proof which has been uncontested by the defendants who have simply said the words, that it is false, and plaintiff says that that is Not enough to just make a statement and not have anything to back it up, as the defendants have done in this case.

1. Defendants are so against this Court granting Leave to file the Corrected Updated Copy because they do not want the court to be able to hear from the Defendants Michigan business Partners and Investors, and the Great Many factors and Documents listed on the Court Record, because they know their client is guilty of rape and they only want to charge him these outrageous prices for his fees on something that they initiated and brought to this Court and it is simply not even worthy of a response, but the Plaintiff stated that the court should grant the Leave to File because it is critical to this case and the court should have ALL THE FACTS.

2. This Corrected Copy is in fact TIMELY FILED because the Plaintiff has the Mailbox Rule and Plaintiff had to deal with other factors of Prison, Photocopying, law Library and other things that the defendants lawyers do not have to deal with in order to get everything heard in court and Plaintiff filed what he had so the court had it and then other factors that have kept this plaintiff from timely filing everything...there are many cases where the Prisoner Plaintiffs do not even file their documents timely or they leave something out, and this is not one of those times, Plaintiff is filing everything accordingly and properly and timely to this court in accordance with Law and it should be allowed to be filed in this court and heard in this court.

3. Defendants have claimed that the Plaintiff has also served copies of the summons and complaint on Michigan Resident Kathryn Preston at the same Property Address in avoca and Marysville and has in fact PROVIDED AFFIDAVITS FROM THOSE PERSONS STATING THEY ARE WHO THEY SAY THEY ARE AND THAT THEY ACCEPTED SERVICE ON BEHALF OF SEAN COMBS and the only thing the defendants have said is that "They are Transparently false but in fact, these claims are TRUE REAL & VERIFIED.

4. Plaintiff states that the Defendant have offered NOTHING TO COUNTER THE PLAINTIFFS CLAIMS AND TRUE ASSERTIONS THAT THE PERSONS OF GEORGE PRESTON AND KATHRYN PRESTON ARE ANYTHING OTHER THEN WHO THEY HAVE BEEN and that is AGENTS, INVESTORS AND PROPERTY HOLDERS OF SEAN COMBS, and the Plaintiff has presented this Court with the WITNESS AFFIDAVITS AND AFFIDAVITS OF THESE PEOPLE STATING THEIR ROLE AND INVOLVEMENT IN THIS CASE WHOLEHEARTEDLY and the defendants lawyers have simply offered NOTHING OTHER THEN WORDS LIKE FALSE*, OR NOT TRUE they have not provided anything else, in fact, they know that cannot provide anything else except that they can only ADMIT IT IS THE TRUTH and Nothing more because the Plaintiff has provided the Truth and Documentary and Physical evidence to support it, as a whole. Simply saying something is false does not make it false and the court has the authority to get the People into court to testify to these facts as that hey are true and accurate and real, and the defendants cannot provide anything to counter it, nothing at all.

5. Plaintiff states that the Defendants need to research the Full Mailbox rule where they have stated on page 4 of their response to the plaintiffs motion in the Footnotes section that they are unsure whether the mailbox rule Applies to an ordinary motion or not, Under Houston v Lack US 1988, documents are considered filed when turned into prison officials and the Sixth Circuit has Recognized that ALL FILINGS BY PRISONERS ARE CONSIDERED FILED WHEN THEY ARE TURNED INTO GOVERNMENT OFFICIALS so this argument that it was docketed on the 10th of December is without merit because the Plaintiff is a prisoner and this court recognizes documents as filed when turned into government officials, see EVERY CASE FILED BY A PRISONER, in this courts history...Something which the defendants do not care to focus on, except try to find anyway they can to shoot down what the Plaintiff has brought....literally in that order and as such, all documents filed by this Plaintiff are

considered filed on the date that they are submitted to the Court and it is something that this Plaintiff asks this Court to Consider fully this fact.

6. Plaintiff states that when the Plaintiff said that he served the Defendants on April 11, 2024, it was an ATTEMPT TO RESOLVE THIS MATTER BEFORE IT WENT TO COURT and that is what the Plaintiff meant when Plaintiff said that Plaintiff served the Defendant before it was filed in court, IT WAS AN ATTEMPTED TO RESOLVE THIS MATTER BEFORE TAKING IT TO COURT but the defendants do not care about that being a factor, they look at it as if the Plaintiff is talking about the Summons being issued, that was served, Plaintiff was speaking about the NOTICE OF THE LAWSUIT TO BE FILED...So the defendants claim that Plaintiff could not have served the lawsuit before the summons was issued is completely irrational and quite frankly, misleading to this court, when in fact, it is something that the court should not be fooled by, when the plaintiff was talking about the summons itself, as a matter of fact, This is a very issue now before the other Courts on Other Diddy Victims taking action before they file it in court and that they tried to resolve it first, but that is not a subject that the Defendants want to speak about, they only want to say that the story is false, and that is not proper or correct..

7. Plaintiff states that the Defendants claims that Mr. Prestons claims that he was threatened with a Gun to his head by Sean Combs officials and connections as being false is not for them to say as that the person of George Preston will testify that these things happened and that he is a holder of property for Sean Combs and the threats were made and that hey are true and real and in fact, signed by a Licensed Notary Public who will attest that these people appeared before this Court.

8. Plaintiff states that the defendants claims that Kathryn Preston's affidavit is Fictitious is a complete lie

and it is something that Kathryn Preston will attest to before this Court to prove it...In fact, Plaintiff can state to this court that the Affidavits are true and not fictitious as the defendants lawyers have said.

9. Plaintiff states that the Defendants Affidavit of Sean Combs stating he never met this defendant and never raped this defendant is false based on the following factually based argument.

1. Defendant Combs Signed Affidavits Stating that he NEVER BEAT CASSANDRA "CASSIE" VENTURA. and then there is a Video of him beating her, and then, there is a video of him Admitting to beating her, all over the world, and this led to his being arrested for his crimes...So, Mr. Combs is a PROVEN AND ADMITTED LIAR and the defendants lawyers statement that My Witnesses and their affidavits are false are not true is simply ludicrous when you look at Mr. Combs admittedly lying on public record, so my witnesses are truthful and have never lied, even though the defendants say so, I say, Lets get them in Court and hear it out, and then we shall see what is what and who is lying and I guarantee, his client will be the one shown as a liar and not this Plaintiff. being accused of lying and ADMITTING LYING are 2 different things, and defendant Combs is an admitted Liar no matter how you look at it!

11. Plaintiffs Motion to file a Corrected updated Copy should in fact be allowed into the Court record because it has all the facts, documents and other relevant information contained in this matter on such a huge scale of money involved that it should be allowed to be considered and admitted because the Defendants want to hide the truth, but the plaintiff does not.

In closing, Plaintiff states that the Court should grant the Plaintiffs Motion for leave to file a corrected copy because it will not harm any thing or any one in this case and it will ensure that the court has all the factors

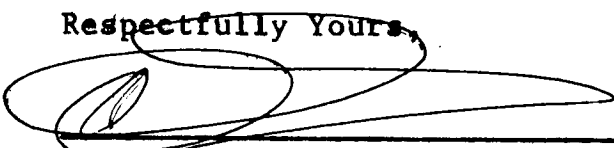
before it and information before it, accordingly.

RELIEF SOUGHT

Wherefore, plaintiff prays this court will enter an order and GRANT LEAVE TO FILE THE CORRECTED COPY and any other relief it deems necessary and appropriate.

Respectfully Yours,

12-27-24



Mr. ~~Derrick Lee Cardello-Smith~~

#267009

Plaintiff in Pro Per

E.C. Brooks Correctional Facility

2500 S. Sheridan Drive

Muskegon, MI 49444



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Case No 24-12647

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U.S. MARSHALS